

JUN 06 2005

## CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Tin-Su Pan

Docket No.

124695/GEM-0058

Application No.  
10/065,486Filing Date  
10/23/2002Examiner  
Shearin, Andrew J.Group Art Unit  
3737

Invention: RETROSPECTIVE RESPIRATORY GATING FOR IMAGING AND TREATMENT

I hereby certify that this Request to Reset Reply Period Under MPEP 710.06 (3ps), Exhibits A,B,C (3ps)  
(Identify type of correspondence)

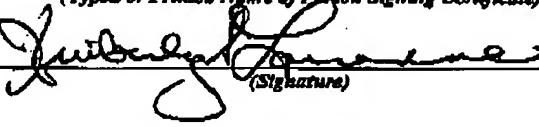
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306

on June 6, 2005

(Date)

Kimberly A. Lawrence

(Typed or Printed Name of Person Signing Certificate)

  
(Signature)

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn. No.: 10/065,486 : Confirmation No.: 7326  
Applicant: Tin-Su Pan : Group Art Unit: 3737  
Filed: October 23, 2002 : Examiner: Shearin, Andrew J.  
Docket No.: 124695 / GEM-0058 :

For: RETROSPECTIVE RESPIRATORY GATING FOR IMAGING AND  
TREATMENT

June 6, 2005

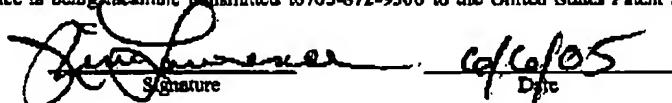
Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## REQUEST TO RESET REPLY PERIOD UNDER MPEP §710.06

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to 703-872-9306 to the United States Patent and Trademark Office on the date shown below.

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Name

  
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Signature \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_  
6/6/05

Appn. No.: 10/065,486  
Docket No.: 124695 / GEM-0058

Sir:

This is in response to the Office Action dated April 7, 2005 issued in the above-identified application, wherein Applicant respectfully requests the resetting or restarting of the reply period under MPEP §710.06.

The subject Office Action, part of Paper No./Mail Date 2, references (<http://web.archive.org/web/20010304174429/http://www.varian.com/onc/prd057.html>) (hereinafter Varian) at Paragraph 5 as being material to patentability under 35 U.S.C.

§102(b), and

(<http://godzilla.kennedykrieger.org/~bettyann/msThesis/ms060thesis/ms06020bkg.html>) (hereinafter BettyAnn) as being material to patentability under 35 U.S.C. §103(a).

However, copies of Varian and BettyAnn were not provided with the Office Action, have not as of June 6 been made available in the private PAIR system, and no such web sites were accessible as of June 2 by Applicant's Attorneys, as evidenced by the screen shots illustrated in Exhibits A, B and C. A telephone call was placed with the Examiner by Applicant's Attorney on June 2, 2005, where a voicemail message was left informing the Examiner of the present situation.

Accordingly, and in view of Varian and BettyAnn being material to a fully responsive reply to the subject Office Action, Applicant herein respectfully requests that a copy of Varian and BettyAnn be made available, and that the reply period be reset in accordance with MPEP §710.06.

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The Examiner is invited to contact Applicant's Attorneys at the telephone number listed below if additional information may be needed regarding this request.

Respectfully submitted,  
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